IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2204 of 2007()

(CRIME NO.436/2005 OF CHITTOOR POLICE STATION)

PETITIONER/2ND ACCUSED:

VINOD VARGHESE @ ROTTI VARGHESE,
AGED 31/07, S/O.M.G.VARGHESE,
PARAYATTU HOUSE, IRAMATHUR, MANNAR,
ALAPPUZHA DISTRICT.

BY ADV. SRI.ISSAC NINAN

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
CHITTOOR POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2204/2007

Dated this 12th day of April, 2007

O R D E R

The petitioner who is the second accused in Crime No.436/2005 of Chittur police station for an offence punishable under Section 55(a) of the Abkari Act for allegedly transporting 770 litres of rectified spirit in 22 cans in a Scorpio Car on 25.11.2005 and who was arrested on 24.3.2007, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that he had nothing to do with the transport of the rectified spirit in question.

4. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE

mrcs